

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**STACEY MIZE,**

**Plaintiff,**

**vs.**

**VERIZON WIRELESS LLC,**

**Defendant.**

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**8:05CV304**

**ORDER**

This matter is before the Court on the motion of Grant A. Forsberg to withdraw as counsel for the plaintiff (Filing No. 3). The movant states he cannot effectively represent the plaintiff because the plaintiff has failed to maintain contact with the movant. The movant filed proof of service of his motion on his client as required by NEGenR 1.3(f). **See** Filing No. 3. The court will allow the plaintiff an opportunity to respond to the motion. Upon consideration,

**IT IS ORDERED:**

1. Grant A. Forsberg's motion to withdraw as counsel for the plaintiff (Filing No. 3) is held in abeyance.

2. The plaintiff, Stacey Mize, shall have to **on or before November 10, 2005**, to respond to the motion to withdraw by filing a brief with the Clerk of Court. If no response is received or if substitute counsel has entered an appearance by that date, the motion to withdraw will be granted. If the motion to withdraw is granted and substitute counsel has not entered an appearance, the plaintiff will be considered proceeding *pro se* and counsel for the defendants may communicate with the plaintiff directly.

3. Grant A. Forsberg shall serve the plaintiff with a copy of this order and file proof of such service with the Clerk of Court.

DATED this 11th day of October, 2005.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge